

REMARKS:

I. SUMMARY OF CLAIMS AMENDMENTS

Claims 25 and 34 are amended; claim 26 is cancelled without prejudice; claims 35-36 have been added, and claims 15-17, 25, 28-29, and 33-36 are pending following entry of this Amendment. The above noted amendments to the claims have been made so that the scope and language of the claims is more precise and clear in defining what the applicants consider to be their invention. Claim 25 has been amended essentially as suggested by the Examiner in a telephone conference of August 16, 2004. Claim 34 has been amended as suggested by the Examiner. Claims 35-36, which depend from claim 25, have been added. Support for claims 35-36 is found in the Specification, for instance at p. 41, lines 1-9; p. 56, line 26- p. 57, line 5; Figure 1; claim 4 as originally filed; and at SEQ ID NO:15. Applicants respectfully submit that no new matter is introduced by the proposed amendments to the claims.

II. AMENDMENT TO SPECIFICATION

The Specification is amended at page 41 to include several sequences found in Figures 1-3. The Description of the Drawings has been amended above to refer to the proper SEQ ID NOS. Applicants respectfully submit that no new matter is introduced by the proposed amendment to the Specification.

III. AMENDMENT TO SEQUENCE LISTING

A substitute paper and computer readable sequence listing is submitted, adding several sequences found in Figures 1-3. (SEQ ID NOs:15-19), and a statement under 37 CFR 1.821 is included indicating that the paper and computer readable forms are identical. SEQ ID NO:15 contains the amino acid sequence disclosed in Figure 1. SEQ ID NO:16 contains the AlfAFP2 amino acid sequence disclosed in Figure 2. SEQ ID NO:17 contains the pI230 amino acid sequence disclosed in Figure 2. SEQ ID NO:18 contains the 5' cDNA sequence of AlfAFP1 disclosed in Figure 3. SEQ ID NO:19 contains the 5' cDNA sequence of AlfAFP2 disclosed in Figure 3. SEQ ID NO:14 has been amended to add an additional Cys at the C-terminus of the

sequence. This additional Cys is indicated in Figure 2, and was inadvertently omitted from SEQ ID NO:14. The additional Cys is further supported by the nucleic acid coding sequence in SEQ ID NO:6. Applicants respectfully submit that no new matter is added by this amendment.

IV. CLAIM OBJECTIONS

The Examiner has objected to claim 26 in that it is alleged to not further limit claim 25. As claim 26 is cancelled, applicants respectfully request that this objection be withdrawn as moot.

V. NEW MATTER

The Examiner has rejected claims 25-26, 28-29 as containing new matter. Claim 25 has been amended to remove the text subject to the new matter rejection. Accordingly, Applicants respectfully request that the rejection of claim 25 be withdrawn.

VI. CLAIM REJECTION- 35 USC § 112

The Examiner has rejected claim 34 under 35 USC § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Applicants have amended claim 34 essentially as suggested by the Examiner. As the Examiner has stated that claim 34 would be allowable if the 112 2nd rejection were obviated, the applicants respectfully request that this claim be allowed.

The amended claims are believed to be distinct and patentable over the art of record and therefore applicants respectfully request their entry and allowance by the Examiner.

The undersigned representative requests any extension of time that may be deemed necessary to further the prosecution of this application.

The undersigned representative authorizes the Commissioner to charge any additional fees under 37 C.F.R. 1.16 or 1.17 that may be required, or credit any overpayment, to Deposit Account No. 01-2508, referencing Order No. 11899.0193.DVUS02.



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In order to facilitate the resolution of any issues or questions presented by this paper, the Examiner should directly contact the undersigned by phone to further the discussion.

Respectfully submitted,

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